

*DRAFT*

MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

31 JULY 2006

Pursuant to Council action 6 December 2005, the City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Michael L. Barber, T. Dianne Bellamy-Small, Sandra G. Carmany, Florence F. Gatten, Sandra Anderson Groat, Yvonne J. Johnson, Thomas M. Phillips and Goldie F. Wells. Absent: None. Also present were Robert "Bob" Morgan, Assistant City Manager; Blair Carr, Assistant City Attorney; and Juanita F. Cooper, City Clerk.

The meeting opened with a moment of silence and the Pledge of Allegiance to the Flag.

The Manager recognized Mary Small, employee in the Management Information Systems Department, who served as courier for the meeting.

The Mayor explained the Council procedure for conduct of the meeting. He noted that City Manager Mitchell Johnson was on vacation and that Assistant City Manager Morgan was representing the Manager at the meeting.

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Mayor Holliday stated that Council would now hear from speakers from the floor.

Beth McKee-Huger, residing at 408 Woodlawn Avenue, expressed appreciation to staff of the Inspections and Legal Departments with regard to the recent demolition of housing on Guerrant Street that had been substandard for many years. She stated that people in the neighborhood wished to have safe and healthy economic development in the area and would watch businesses with environmental risks that wished to locate in the neighborhood. Ms. McKee-Huger offered her thoughts with regard to partnering with the City to make this community safe and healthy.

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June Williams, residing at 504 Ireland Street in the Warnersville Community, offered her personal thoughts with regard to the proposed demolition of the J. C. Price School and impact the location of a sports complex in the area would have on this community.

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Art Saunders, residing at 3005E Greystone Point, expressed concern with recent changes in Specialized Community Area Transportation (SCAT) passes and the elimination of the unlimited ride pass, expressed his thoughts with regard to the impact those changes would have on SCAT riders, noted citizens' proposals for SCAT service were not accepted by Council, expressed appreciation to Councilmember Phillips for asking the GTA task force to review the bus passes to determine if an additional pass might be needed, and stated that is his opinion the SCAT issue was not resolved.

Mayor Holliday stated that citizens had forgotten that over two years ago, the City Council made a momentous decision that qualified citizens should have the opportunity to use SCAT service and determined that those who need SCAT service should receive the service without having to move within  $\frac{3}{4}$  mile of the fixed bus routes.

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At the Mayor's request, Councilmember Wells introduced, read into the minutes and moved adoption of a resolution honoring the memory of the late Lillian Jeffries Kennedy; the motion was seconded by Councilmember Bellamy-Small. After brief discussion, the resolution was adopted on the following roll call vote: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

146-06 RESOLUTION HONORING THE MEMORY OF THE LATE LILLIAN JEFFRIES KENNEDY

WHEREAS, on June 17, 2006, this community lost one of its community leaders with the death of the late Lillian Jeffries Kennedy at the age of 92;

WHEREAS, Lillian was a native of Greensboro and attended public schools graduating with the first class to do so from James B. Dudley High School;

WHEREAS, she received her B.S. Degree in Elementary Education and History from North Carolina A&T College and obtained her Masters degree from New York University in Education;

WHEREAS, her teaching career began in Hillsboro, North Carolina and a few years later she relocated to Greensboro where she continued teaching in elementary schools for 25 years until her retirement;

WHEREAS, Lillian was active in the community and was a member of Delta Sigma Theta Sorority, The IDK Bridge Club, the So Different, Club, The National Association of Negro Business & Professional Women's Club, Inc., The National Teachers Association, The Silhouettes of Kappa Alpha Psi and was also a Girl Scout Leader for many years;

WHEREAS, she was a long time member of St. Matthews United Methodist Church and was a member of the United Methodist Women;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Lillian Jeffries Kennedy, and the legacy she leaves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Lillian Jeffries Kennedy.
2. That a copy of this resolution shall be delivered to the family of the late Lillian Jeffries Kennedy as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Goldie F. Wells

After its adoption by Council, copies of the resolution were presented to members of Ms. Kennedy's family who were present at the meeting, including Councilmember Johnson.

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The Mayor announced that this was the date and hour fixed by the City Council for the public hearing upon the orders entitled: "ORDER AUTHORIZING \$24,500,000 FIRE

STATION BONDS”, “ORDER AUTHORIZING \$5,200,000 PUBLIC BUILDING RENOVATION BONDS”, “ORDER AUTHORIZING \$10,000,000 ECONOMIC DEVELOPMENT BONDS”, “ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS”, “ORDER AUTHORIZING \$5,300,000 GREENSBORO HISTORICAL MUSEUM BONDS”, “ORDER AUTHORIZING \$36,000,000 WAR MEMORIAL AUDITORIUM BONDS”, “ORDER AUTHORIZING \$5,000,000 PARKS AND RECREATIONAL FACILITIES BONDS”, “ORDER AUTHORIZING \$850,000 NEIGHBORHOOD REDEVELOPMENT BONDS”, “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL BASEBALL STADIUM BONDS”, “ORDER AUTHORIZING \$9,000,000 SWIMMING CENTER BONDS”, and “ORDER AUTHORIZING \$5,000,000 INTERNATIONAL CIVIL RIGHTS MUSEUM BONDS” and that the City Council would immediately hear anyone who might wish to be heard on the questions of the validity of said orders or the advisability of issuing said bonds.

No one appeared, either in person or by attorney, to be heard on the questions of the validity of said orders or the advisability of issuing said bonds and the City Clerk announced that no written statement relating to said questions had been received, except the following: Bob Braswell, residing at 704 Nottingham Road, who appeared in person and stated that he supported the War Memorial Auditorium Bonds; Allan Barnett, residing at 111 Heritage Creek Way, who appeared in person and stated that he supported the Historical Museum Bonds; Carol Bruce, residing at 2007 Tiffany Place, who appeared in person and stated that she supported the International Civil Rights Museum Bonds; Pat Danahy, with Greensboro Partnership located at 342 North Elm Street, who appeared in person and stated that he supported the Economic Development Bonds and the Public Building Bonds; Nettie Coad, residing at 706 Martin Luther King Jr. Drive, who appeared in person and stated she supported the Neighborhood Redevelopment Bonds; David Hoggard, residing at 108 Cypress Street, who appeared in person and stated he supported the Parks and Recreation Facilities Bonds; Michael Betts, residing at 801 Westover Terrace, who appeared in person and stated he supported the Library Facilities Bonds;

Susan Schwartz, residing at 203 Parkmont Drive, who appeared in person and stated that she supported all bond items; Julia Blizin, residing at 4505 Summit Avenue, who appeared in person and stated that she supported the Parks and Recreation Bonds; Matt Zimmerman, residing at 3698 Cotswold Terrace, who appeared in person and stated that he supported the Swimming Center Bonds; and Betsey Baun, residing at 114 Cypress Street, who appeared in person and stated that she supported all bond items, particularly the War Memorial Baseball Stadium Bonds; Patricia Alexander, residing at 3710 Central Avenue, who appeared in person and stated that she supported the Parks and Recreation Facilities Bonds; Christian Thompson, PO Box 22074, Carl Brustmeyer, residing at 1012 Bloomfield Road and Marguerite Scarlock, residing at #1 St. John Court, who appeared in person and stated they supported the Neighborhood Redevelopment Bonds; Ted Oliver, residing at 4206 Tallwood Drive, appeared in person and stated that he supported the Swimming Center Bonds; and Florence F. Gatten, member of City Council, who appeared in person and stated that she supported the Fire Station Bonds.

The Mayor then announced that the public hearing was closed.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled “ORDER AUTHORIZING \$24,500,000 FIRE STATION BONDS”.

Thereupon, upon motion of Councilmember Gatten, seconded by Councilmember Bellamy-Small, the order introduced and passed on first reading on June 20, 2006 entitled: “ORDER AUTHORIZING \$24,500,000 FIRE STATION BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$24,500,000 FIRE STATION BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, as amended on July 18, 2006, entitled “ORDER AUTHORIZING \$5,200,000 PUBLIC BUILDING RENOVATION BONDS”.

Thereupon, upon motion of Councilmember Johnson, seconded by Councilmember Bellamy-Small, the order introduced and passed on first reading on June 20, 2006, as amended on July 18, 2006, entitled: “ORDER AUTHORIZING \$5,200,000 PUBLIC BUILDING RENOVATION BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$5,200,000 PUBLIC BUILDING RENOVATION BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled “ORDER AUTHORIZING \$10,000,000 ECONOMIC DEVELOPMENT BONDS”.

Thereupon, upon motion of Councilmember Bellamy-Small, seconded by Councilmember Johnson, the order introduced and passed on first reading on June 20, 2006 entitled: “ORDER AUTHORIZING \$10,000,000 ECONOMIC DEVELOPMENT BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$10,000,000 ECONOMIC DEVELOPMENT BONDS" had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on July 18, 2006, entitled "ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS".

Thereupon, upon motion of Councilmember Gatten, seconded by Councilmember Bellamy-Small, the order introduced and passed on first reading on July 18, 2006, entitled: "ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$8,600,000 LIBRARY FACILITIES BONDS" had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled "ORDER AUTHORIZING \$5,300,000 GREENSBORO HISTORICAL MUSEUM BONDS".

Thereupon, upon motion of Councilmember Gatten, seconded by Councilmember Johnson, the order introduced and passed on first reading on June 20, 2006 entitled: "ORDER

AUTHORIZING \$5,300,000 GREENSBORO HISTORICAL MUSEUM BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$5,300,000 GREENSBORO HISTORICAL MUSEUM BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled “ORDER AUTHORIZING \$36,000,000 WAR MEMORIAL AUDITORIUM BONDS”.

Thereupon, upon motion of Councilmember Carmany, seconded by Councilmember Bellamy-Small, the order introduced and passed on first reading on June 20, 2006 entitled: “ORDER AUTHORIZING \$36,000,000 WAR MEMORIAL AUDITORIUM BONDS”, was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$36,000,000 WAR MEMORIAL AUDITORIUM BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled “ORDER AUTHORIZING \$5,000,000 PARKS AND RECREATIONAL FACILITIES BONDS”.

Thereupon, upon motion of Councilmember Bellamy-Small, seconded by Councilmember Carmany, the order introduced and passed on first reading on June 20, 2006, entitled: “ORDER AUTHORIZING \$5,000,000 PARKS AND RECREATIONAL FACILITIES BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$5,000,000 PARKS AND RECREATIONAL FACILITIES BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled “ORDER AUTHORIZING \$850,000 NEIGHBORHOOD REDEVELOPMENT BONDS”.

Thereupon, upon motion of Councilmember Wells, seconded by Councilmember Johnson, the order introduced and passed on first reading on June 20, 2006, entitled: “ORDER AUTHORIZING \$850,000 NEIGHBORHOOD REDEVELOPMENT BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:



Ayes: Councilmembers Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: Councilmember Barber.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$850,000 NEIGHBORHOOD REDEVELOPMENT BONDS” had been adopted by a vote of 8 to 1.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, as amended on July 18, 2006, entitled “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL BASEBALL STADIUM BONDS”.

Thereupon, upon motion of Councilmember Johnson, seconded by Councilmember Carmany, the order introduced and passed on first reading on July 20, 2006, as amended on July 18, 2006, entitled: “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL BASEBALL STADIUM BONDS” was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the order entitled: “ORDER AUTHORIZING \$5,500,000 WAR MEMORIAL BASEBALL STADIUM BONDS” had been adopted by a vote of 9 to 0.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, as amended on July 18, 2006, entitled “ORDER AUTHORIZING \$9,000,000 SWIMMING CENTER BONDS”.

Thereupon, upon motion of Councilmember Gatten, seconded by Councilmember Johnson, the order introduced and passed on first reading on June 20, 2006, as amended on July 18, 2006, entitled: "ORDER AUTHORIZING \$9,000,000 SWIMMING CENTER BONDS" was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Barber, Carmany, Gatten, Groat, Johnson, Phillips and Wells.

Noes: Councilmembers Bellamy-Small and Holliday.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$9,000,000 SWIMMING CENTER BONDS" had been adopted by a vote of 7 to 2.

The Mayor then announced that it was time to consider the adoption of the order introduced and passed on first reading on June 20, 2006, entitled "ORDER AUTHORIZING \$5,000,000 INTERNATIONAL CIVIL RIGHTS MUSEUM BONDS".

Thereupon, upon motion of Councilmember Johnson, seconded by Councilmember Wells, the order introduced and passed on first reading on June 20, 2006, entitled: "ORDER AUTHORIZING \$5,000,000 INTERNATIONAL CIVIL RIGHTS MUSEUM BONDS" was read a second time by title and placed upon its final passage. The roll call vote upon the final passage of said order was:

Ayes: Councilmembers Bellamy-Small, Gatten, Groat, Holliday, Johnson, and Wells.

Noes: Councilmembers Barber, Carmany and Phillips.

The Mayor then announced that the order entitled: "ORDER AUTHORIZING \$5,000,000 INTERNATIONAL CIVIL RIGHTS MUSEUM BONDS" had been adopted by a vote of 6 to 3.

The City Clerk was thereupon directed to publish each of said orders, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Greensboro News and Record.

Thereupon Mayor Holliday introduced the following resolution, a copy of which had been provided to each Councilmember, which was read by title and summarized by the City Manager:

RESOLUTION CALLING A SPECIAL  
BOND REFERENDUM

BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. A special bond referendum is hereby called to be held between 6:30 A.M. and 7:30 P.M., on Tuesday, November 7, 2006, at which there shall be submitted to the qualified voters of the City of Greensboro the questions contained in the notice of special bond referendum set forth in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in the County of Guilford shall be used and the registration books, process or records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places as provided in said notice set forth in Section 3 of this resolution, (ii) the judges and other officers of election appointed by the Guilford County Board of Elections for the several precincts and voting places in the City of Greensboro shall be the election officers for such precincts and voting places and (iii) the precincts and voting places shall be those fixed by the Guilford County Board of Elections as provided in said notice set forth in Section 3 of this resolution, subject to change as provided by law. The Guilford County Board of Elections is hereby requested to conduct said referendum and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The City Clerk shall cause a notice to be published in The Greensboro News and Record once at least fourteen days before October 13, 2006 (being the last day on which persons may register for said referendum except as otherwise provided in said notice set forth in Section 3 of this resolution) and once again not less than seven days before said day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM  
IN THE  
CITY OF GREENSBORO, NORTH CAROLINA

A special bond referendum will be held throughout the City of Greensboro, North Carolina, between 6:30 A.M. and 7:30 P.M., on Tuesday, November 7, 2006, at which there will be submitted to the qualified voters of said City the following questions:

1.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$24,500,000 Fire Station Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing, equipping and furnishing additional fire stations in said City, including the acquisition of fire fighting apparatus, and acquiring any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

2.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,200,000 Public Building Renovation Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating and improving existing City-owned buildings that house offices, agencies and departments of the City government, including, but without limiting the generality of the foregoing, constructing new roofs and acquiring and installing new heating and cooling systems, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

3.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$10,000,000 Economic Development Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for acquiring and improving land for industrial parks and providing infrastructure, such as water and sewer and street improvements, for other economic development projects, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

4.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$8,600,000 Library Facilities Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing, equipping and furnishing new branch libraries and renovating and expanding existing branch libraries, including the acquisition of any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

5.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,300,000 Greensboro Historical Museum Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro Historical Museum in order to provide additional exhibit space, including the acquisition of equipment and furnishings therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

6.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$36,000,000 War Memorial Auditorium Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro War Memorial Auditorium, including, but without limiting the generality of the foregoing, the renovation of the lobby, seating areas and balconies and other structural renovations, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

7.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,000,000 Parks and Recreational Facilities Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds,

together with any other available funds, for providing parks and recreational facilities in said City, including the acquisition and improvement of land therefor and the acquisition and installation of equipment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

8.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$850,000 Neighborhood Redevelopment Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for acquiring and improving land in the Ole Asheboro Neighborhood redevelopment area and other redevelopment areas in said City, including, but without limiting the generality of the foregoing, the construction, installation and realignment of streets, sidewalks and public utilities, the demolition and rehabilitation of existing structures, and the construction of new structures, all in furtherance of the City's program of urban redevelopment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

9.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,500,000 War Memorial Baseball Stadium Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro War Memorial Stadium, including, but without limiting the generality of the foregoing, locker rooms, restrooms and the catering area, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

10.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$9,000,000 Swimming Center Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing and equipping a facility for competitive swimming events, including the acquisition of any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

11.

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,000,000 International Civil Rights Museum Bonds of the

City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating, equipping and furnishing an existing building for use as an international civil rights museum, the issuance of said Bonds being contingent upon the sum of additional funds raised from external sources, being not less than \$5,000,000, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

Each of the questions hereinabove set forth contains a statement of the purpose for which the bonds are authorized by the order referred to in such question.

If said bonds are issued, taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the City of Greensboro.

For said referendum the regular registration books for elections in the County of Guilford will be used and the registration books, process or records will continue to be open for the acceptance of registration applications and the registration of qualified persons from 8:00 A.M. until 5:00 P.M., Monday through Friday, inclusive, of each week at the offices of the Guilford County Board of Elections, 301 West Market Street, Room 115, Greensboro, North Carolina and at 505 East Green Drive, High Point, North Carolina. The telephone number of the Guilford County Board of Elections is (336) 641-3836.

In addition, registration applications may be obtained and qualified persons may register at any public library in Guilford County and at various other locations in Guilford County during normal business hours. For information concerning the address of any public library or other such location, please contact the Guilford County Board of Elections at its address or telephone number set forth above.

Registration applications may be obtained and qualified persons may also register at any Drivers License Examining Station located in the State of North Carolina (the "State") during normal business hours when applying for, renewing or correcting their drivers licenses.

Moreover, registration applications will be accepted and qualified persons may register, when applying for or renewing applications for benefits or services, at every office in the State which accepts claims for benefits under the Employment Security Law or applications for a program of public assistance under Article 2 of Chapter 108A or Article 13 of Chapter 130A of the General Statutes of North Carolina and at every office in the State designated by the State Board of Elections which accepts applications for State-funded or local government programs primarily engaged in providing services to persons with disabilities. Such programs include Medical Assistance, Aid to Families with Dependent Children, Food Stamps, Women, Infants and Children and programs of the Division of Mental Health and the Division of Services for the Blind.

Qualified persons may also register by mail on forms to be available at the above-mentioned places and otherwise as provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Furthermore, certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces, and members of the Peace Corps may register by mail at any time prior to said referendum in the manner provided in Article 21 of Chapter 163 of the General Statutes of North Carolina and in person at any time, including the day of said referendum.

Except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina, the last day for new registration of those not now registered under Guilford County's permanent registration system and who wish to register for said referendum is Friday, October 13, 2006.



Except as provided above, the last day on which registered voters who have changed residence from one precinct to another may transfer registration for such referendum is Friday, October 13, 2006.

Voter registration forms must either be delivered to the Guilford County Board of Elections Office by 5:00 P.M., Friday, October 13, 2006, or be mailed in an envelope postmarked by Friday, October 13, 2006.

Any qualified voter of the City who is qualified to vote by absentee ballot in said special bond referendum may apply to the Guilford County Board of Elections for an absentee ballot up to and including October 31, 2006. Any qualified voter who is qualified to vote by military absentee ballot pursuant to Section 163-245 of the General Statutes of North Carolina may also apply for an absentee ballot as provided by Section 163-247 of the General Statutes of North Carolina. Absentee ballots (other than absentee ballots cast using the “one-stop” voting procedure) must be received through mail or in person delivery by the qualified voter at the office of the Guilford County Board of Elections by 5:00 p.m. on November 6, 2006.

Any voter eligible to vote by absentee ballot under G.S. 163-226 may request an application for an absentee ballot, complete the application and vote under North Carolina’s “one-stop” voting procedure. Such ballot may be cast at the office of the Guilford County Board of Elections and other predetermined sites not earlier than Thursday, October 19, 2006 and not later than 1:00 p.m. Saturday, November 4, 2006.

Persons who are not certain whether they are registered to vote or qualified to vote by absentee ballot or who desire information concerning the registration process for said referendum should contact the Guilford County Board of Elections at the office of said Board mentioned above.

The registration books for elections in the County of Guilford will be open to inspection by any registered voter of the City during the normal business hours of the Guilford County Board of Elections on the days when the offices of said Board are open, and such days are challenge days.

The judges and other officers of election appointed by the Guilford County Board of Elections will serve as the election officers for said referendum.

The Guilford County Board of Elections will conduct said referendum.

The precincts and voting places for said referendum, subject to change as provided by law, are as follows:

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G01	Aycock Middle School 811 Cypress Street Greensboro, N.C.
G02	McIver Education Center 1401 Summit Avenue Greensboro, N.C.
G03	East White Oak Baptist Church 1815 Water Street Greensboro, N.C.
G04	Genesis Baptist Church 2812 East Bessemer Avenue Greensboro, N.C.
G05	Peeler Recreation Center 1300 Sykes Avenue Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G06	Bessemer Elementary School 918 Huffine Mill Road Greensboro, N.C.
G07	Smith Senior Center 2401 Fairview Street Greensboro, N.C.
G08	Rankin Elementary School 3301 Summit Avenue Greensboro, N.C.
G09	Craft Recreation Center 3911 Yanceyville Street Greensboro, N.C.
G10	White Oak Grove Baptist Church 2600 Assembly Road Greensboro, N.C.
G11	St. Benedict's Parish Center 504 North Greene Street Greensboro, N.C.
G12	First Baptist Church -- Greensboro 1000 W. Friendly Avenue Greensboro, N.C.
G13	Grimsley High School 801 Westover Terrace Greensboro, N.C.
G14	St. Andrew's Episcopal Church 2105 W. Market Street Greensboro, N.C.
G15	Peace United Church of Christ 2714 W. Market Street Greensboro, N.C.
G16	Christ United Methodist Church 410 N. Holden Road Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G17	Kiser Middle School 716 Benjamin Parkway Greensboro, N.C.
G18	Irving Park Elementary School 1310 Sunset Drive Greensboro, N.C.
G19	St. Pius X Catholic Church 2210 N. Elm Street Greensboro, N.C.
G20	Page High School 201 Alma Pinnix Drive Greensboro, N.C.
G21	Mendenhall Middle School 205 Willoughby Boulevard Greensboro, N.C.
G22	Irving Park United Methodist Church 1510 W. Cone Boulevard Greensboro, N.C.
G23	Lawndale Baptist Church 3505 Lawndale Drive Greensboro, N.C.
G24	Christ Lutheran Church 3600 Lawndale Drive Greensboro, N.C.
G25	Cathedral of His Glory 4501 Lake Jeanette Road Greensboro, N.C.
G26	Canterbury School 5400 Old Lake Jeanette Road Greensboro, N.C.
G27	Greensboro Day School 5401 Lawndale Drive Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G28	Brandt Oaks Baptist Church 4600 Lake Brandt Road Greensboro, N.C.
G29	Lewis Recreation Center 3110 Forest Lawn Drive Greensboro, N.C.
G30	Mt. Pisgah United Methodist Church 2600 Pisgah Church Road Greensboro, N.C.
G31	General Greene Elementary School 1501 Benjamin Parkway Greensboro, N.C.
G32	Claxton Elementary School 3720 Pinetop Road Greensboro, N.C.
G33	First Lutheran Church 3600 W. Friendly Avenue Greensboro, N.C.
G34	Westminster Presbyterian Church 3906 W. Friendly Avenue Greensboro, N.C.
G35	Sternberger Elementary School 518 N. Holden Road Greensboro, N.C.
G36	Morehead Elementary School 4630 Tower Road Greensboro, N.C.
G37	Muir's Chapel United Methodist Church 314 Muir's Chapel Road Greensboro, N.C.
G38	Friendly Avenue Church of Christ 5101 W. Friendly Avenue Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G39	Greek Orthodox Church 800 Westridge Road Greensboro, N.C.
G40A	St. Paul Catholic Church 2715 Horse Pen Creek Road Greensboro, N.C.
G40B	St. Barnabas Episcopal Church 1300 Jefferson Road Greensboro, N.C.
G41A	Guilford College United Methodist Church 1205 Fleming Road Greensboro, N.C.
G41B	Jefferson Elementary School 1400 New Garden Road Greensboro, N.C.
G42A	Faith Presbyterian Church 6309 W. Friendly Avenue Greensboro, N.C.
G42B	Friends Home at Guilford 925 New Garden Road Greensboro, N.C.
G43	Western Guilford High School 409 Friendway Road Greensboro, N.C.
G44	Greensboro College – Reynolds Center 1015 W. Market Street Greensboro, N.C.
G45	UNCG - Elliott University Center 507 Stirling Street Greensboro, N.C.
G46	Warnersville Recreation Center 601 Doak Street Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G47	Glenwood Presbyterian Church 1205 Glenwood Avenue Greensboro, N.C.
G48	Lindley Recreation Center 2907 Springwood Drive Greensboro, N.C.
G49	Cedar Grove Baptist Church 612 Norwalk Street Greensboro, N.C.
G50	St. John's United Methodist Church 1304 Merritt Drive Greensboro, N.C.
G51	Glenwood Recreation Center 2010 Coliseum Boulevard Greensboro, N.C.
G52	Foust Elementary School 2610 Floyd Street Greensboro, N.C.
G53	Vandalia Presbyterian Church 101 W. Vandalia Road Greensboro, N.C.
G54	Rocky Knoll Baptist Church 501 Kirkland Street Greensboro, N.C.
G55	Frazier Elementary School 4215 Galway Drive Greensboro, N.C.
G56	Archer Elementary School 2610 Four Seasons Boulevard Greensboro, N.C.
G57	Allen Middle School 1108 Glendale Drive Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
G58	Smith High School 2407 S. Holden Road Greensboro, N.C.
G59	Faith Baptist Church 3106 S. Holden Road Greensboro, N.C.
G60	Trotter Recreation Center 3906 Betula Street Greensboro, N.C.
G61	Alderman Elementary School 4211 Chateau Drive Greensboro, N.C.
G62	Spirit & Truth Int'l Church 6011 Landmark Center Boulevard Greensboro, N.C.
G63	Emergency Services Training Room 1002 Meadowood Street Greensboro, N.C.
G64	Guilford Baptist Church 5904 W. Market Street Greensboro, N.C.
G65	Pilot Elementary School 4701 Chimney Springs Drive Greensboro, N.C.
G66	Gate City Baptist Church 5250 Hilltop Road Jamestown, N.C.
G67	Bethel AME Church 200 Regan Street Greensboro, NC
G68	North Carolina A&T Memorial Union Exhibit Hall John Mitchell Drive Greensboro, N.C.



<u>PRECINCT</u>	<u>VOTING PLACE</u>
G69	Reid Memorial CME Church 1010 Bennett Street Greensboro, N.C.
G70	Washington Elementary School 1110 E. Washington Street Greensboro, N.C.
G71	Hampton Academy 2301 Trade Street Greensboro, N.C.
G72	Hairston Middle School 3911 Naco Road Greensboro, N.C.
G73	Trinity AME Zion Church 631 E. Florida Street Greensboro, N.C.
G74	Bluford Elementary School 1901 Tuscaloosa Street Greensboro, N.C.
G75	Mt. Zion Baptist Church 1301 Alamance Church Road Greensboro, N.C.
CG1	Bur-Mil Club 5834 Bur-Mil Club Road Greensboro, N.C.
CG2	Jesse Wharton Elementary School 5813 Lake Brandt Road Greensboro, N.C.
CG3	Bass Chapel U Methodist Church 5075 Bass Chapel Road Greensboro, N.C.
FEN1	Brown Recreation Center 302 E. Vandalia Road Greensboro, N.C.

<u>PRECINCT</u>	<u>VOTING PLACE</u>
FR1	Unitarian Universalist Church 5603 Hilltop Road Jamestown, N.C.
FR2	Life Community Church 4900 W. Wendover Avenue Jamestown, N.C.
FR5A	Calvary Church 1665 Pleasant Ridge Road Greensboro, N.C.
FR5B	Edgefield Baptist Church 3530 Edgefield Road Greensboro, N.C.
JAM3	All Saints Episcopal Church 4211 Wayne Road Greensboro, N.C.
JAM4	Ragsdale Family YMCA 900 Bonner Drive Jamestown, N.C.
JEF1	McLeansville Baptist Church 5205 Frieden Church Road McLeansville, N.C.
JEF2	Calvary Baptist Church 930 Knox Road Greensboro, N.C.
JEF3	Piedmont Baptist Association 2009 Sharpe Road Greensboro, N.C.
MON1	Memorial Presbyterian Church 2116 McKnight Mill Road Greensboro, N.C.
MON2	Brightwood Elementary School 2001 Brightwood School Road Greensboro, N.C.

PRECINCT

VOTING PLACE

NDRI

Shady Grove Wesleyan Church  
119 Bunker Hill Road  
Colfax, N.C.

SF3

Morehead United Methodist Church  
3214 Horsepen Creek Road  
Greensboro, N.C.

SF4

Pleasant Ridge Christian Church  
2049 Pleasant Ridge Road  
Greensboro, N.C.

SUM1

Celia Phelps United Methodist Church  
3709 Groometown Road  
Greensboro, N.C.

SUM2

South Elm Street Baptist Church  
4212 South Elm-Eugene Street  
Greensboro, N.C.

James R. Turner  
Chairman of the Guilford County  
Board of Elections

Juanita F. Cooper  
City Clerk of the City of Greensboro,  
North Carolina

Section 4. The forms of the questions to be used in the voting machines at said referendum and in the instructions to absentee voters shall be substantially as follows:

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**FIRE STATION  
BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$24,500,000 Fire Station Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing, equipping and furnishing additional fire stations in said City, including the acquisition of fire fighting apparatus, and acquiring any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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**PUBLIC BUILDING  
RENOVATION  
BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,200,000 Public Building Renovation Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating and improving existing City-owned buildings that house offices, agencies and departments of the City government, including, but without limiting the generality of the foregoing, constructing new roofs and acquiring and installing new heating and cooling systems, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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ECONOMIC  
DEVELOPMENT  
BONDS

Shall the order adopted on July 31, 2006, authorizing not exceeding \$10,000,000 Economic Development Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for acquiring and improving land for industrial parks and providing infrastructure, such as water and sewer and street improvements, for other economic development projects, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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LIBRARY  
FACILITIES  
BONDS

Shall the order adopted on July 31, 2006, authorizing not exceeding \$8,600,000 Library Facilities Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing, equipping and furnishing new branch libraries and renovating and expanding existing branch libraries, including the acquisition of any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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**GREENSBORO  
HISTORICAL  
MUSEUM BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,300,000 Greensboro Historical Museum Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro Historical Museum in order to provide additional exhibit space, including the acquisition of equipment and furnishings therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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**WAR MEMORIAL  
AUDITORIUM  
BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$36,000,000 War Memorial Auditorium Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro War Memorial Auditorium, including, but without limiting the generality of the foregoing, the renovation of the lobby, seating areas and balconies and other structural renovations, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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**PARKS AND  
RECREATIONAL  
FACILITIES  
BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,000,000 Parks and Recreational Facilities Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for providing parks and recreational facilities in said City, including the acquisition and improvement of land therefor and the acquisition and installation of equipment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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**NEIGHBORHOOD  
REDEVELOPMENT  
BONDS**

Shall the order adopted on July 31, 2006, authorizing not exceeding \$850,000 Neighborhood Redevelopment Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for acquiring and improving land in the Ole Asheboro Neighborhood redevelopment area and other redevelopment areas in said City, including, but without limiting the generality of the foregoing, the construction, installation and realignment of streets, sidewalks and public utilities, the demolition and rehabilitation of existing structures, and the construction of new structures, all in furtherance of the City's program of urban redevelopment, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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WAR MEMORIAL  
BASEBALL  
STADIUM BONDS

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,500,000 War Memorial Baseball Stadium Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating the Greensboro War Memorial Stadium, including, but without limiting the generality of the foregoing, locker rooms, restrooms and the catering area, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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SWIMMING  
CENTER BONDS

Shall the order adopted on July 31, 2006, authorizing not exceeding \$9,000,000 Swimming Center Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for constructing and equipping a facility for competitive swimming events, including the acquisition of any necessary land therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

.....



INTERNATIONAL  
CIVIL RIGHTS  
MUSEUM BONDS

.....

Shall the order adopted on July 31, 2006, authorizing not exceeding \$5,000,000 International Civil Rights Museum Bonds of the City of Greensboro, North Carolina, for the purpose of providing funds, together with any other available funds, for renovating, equipping and furnishing an existing building for use as an international civil rights museum, the issuance of said Bonds being contingent upon the sum of additional funds raised from external sources, being not less than \$5,000,000, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

YES ☐

NO ☐

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Section 5. The City Clerk is hereby directed to mail or deliver a certified copy of this resolution to the Guilford County Board of Elections within three days after the adoption hereof.

Section 6. This resolution shall take effect upon its passage.

The City Attorney thereupon announced that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember Johnson, seconded by Councilmember Bellamy-Small, the foregoing resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by roll call vote as follows:

Ayes: Councilmembers Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells.

Noes: None.

The Mayor then announced that the resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" had passed by a vote of 9 to 0.

\* \* \* \* \*

The Mayor and members of Council offered personal thoughts about the overall bond process and its importance to Greensboro citizens, the roles of the City Council and the City of Greensboro in the bond process, the campaign effort underway to promote the bond referendum, and individual positions with regard to support or non-support of specific bond items.

At the Mayor's request, Assistant City Manager Morgan noted that the City does not advocate for the passage of the bonds but would use opportunities to provide educational materials and information to citizens to enable them to make decisions with regard to the bond issues.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located at 2522 McKnight Mill Road-0.219 acres. He thereupon introduced so these matters could be discussed together an ordinance establishing original zoning classification from County Zoning General Business to City Zoning Conditional District-RS-5 Residential Single Family for property located on the east side of McKnight Mill Road opposite the intersection with Taylorcrest Road.

Richard "Dick" Hails, Planning Department Director, reviewed the proposal; presented a context map and photographs to illustrate the subject property and surrounding area; noted the condition attached to the zoning request; and stated that the Zoning Commission had recommended approval of the rezoning.

Mayor Holliday asked if anyone wished to be heard.

Henry Isaacson, Attorney with offices at 101 West Friendly Avenue and representing Carrolland Corporation, spoke in favor of the items, advised that Council approved an annexation of property adjacent to this property in March 2006. He noted at that time the developer couldn't accommodate the Transportation Department's request to have the access on McKnight Mill Road align with Taylorcrest Road and stated that the annexation of this one-quarter acre would allow the alignment to take place

There being no additional speakers, Councilmember Gatten moved to close the public hearing for the two items. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote.

Mr. Hails stated that the request was in keeping with the Greensboro Future Land Use Map (GFLUM) for mixed use development and stated that staff recommended in favor of the items.

Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits located at 2522 McKnight Mill Road-0.219 acres. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-164 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 2522 McKNIGHT MILL ROAD – 0.219 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at a point in the southeastern right-of-way line of McKnight Mill Road (NCSR # 2835) at its intersection with the northeast line of Lot 48 of Hennis Terrace, as recorded in Plat Book 8, Page 82 in the Office of the Register of Deeds of Guilford County, said point being in the existing Greensboro satellite corporate limits (as of June 30, 2006); THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS with said northeast line S 54° 58' 54" E 62.94 feet to the northeast corner of said lot; thence with the east lines of Lots 48-45 of said subdivision S 06° 01' 06" W 121.00 feet to the southeast corner of said Lot 45; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the southwest line of said Lot 45 N 55° 46' 17" W 115.79 feet to its intersection with the southeastern right-of-way line of McKnight Mill Road ; thence with said right-of-way line N 31° 54' 49" E 107.58 feet to the Point and Place of Beginning, and containing 0.219 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 30, 2006, the liability for municipal taxes for the 2006-2007 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2007-2008 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2006.

(Signed) Yvonne J. Johnson

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Councilmember Wells moved adoption and stated that the Greensboro City Council believes that its action to approve the zoning amendment, located on the east side of McKnight Mill Road from County GB to City CD-RS-5, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Moderate Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it is consistent with meeting the needs for a choice of decent, affordable housing in stable, livable neighborhoods; and it promotes the diversification of new housing stock to meeting the needs of all citizens for suitable, affordable housing. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-165 AMENDING OFFICIAL ZONING MAP

EAST SIDE OF McKNIGHT MILL ROAD OPPOSITE THE INTERSECTION WITH TAYLORCREST ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning General Business to Conditional District – RS-5 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

Beginning at a point in the southeastern right-of-way line of McKnight Mill Road (NCSR # 2835) at its intersection with the northeast line of Lot 48 of Hennis Terrace, as recorded in Plat Book 8, Page 82 in the Office of the Register of Deeds of Guilford County, said point being in the existing Greensboro satellite corporate limits (as of June 30, 2006); THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS with said northeast line S 54° 58' 54" E 62.94 feet to the northeast corner of said lot; thence with the east lines of Lots 48-45 of said subdivision S 06° 01' 06" W 121.00 feet to the southeast corner of said Lot 45; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the southwest line of said Lot 45 N 55° 46' 17" W 115.79 feet to its intersection with the southeastern right-of-way line of McKnight Mill Road ; thence with said right-of-way line N 31° 54' 49" E 107.58 feet to the Point and Place of Beginning, and containing 0.219 acres more or less.

Section 2. That the original zoning to Conditional District – RS-5 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Property to be developed in conjunction with and under the same conditions as the property to the north and east (Rezoning Case CD-RS-5 #3433).

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Goldie F. Wells

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits (located at 3307 Pleasant Garden Road and 901 Logandale Court—21.939 acres). He thereupon introduced so these matters could be discussed together an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning Conditional District-RM-18 Residential Multifamily for property located on the east side of Pleasant Garden Road between Logandale Court and US 421 South, and an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning Conditional District-RM-18 Residential Multifamily for property located on the north side of Logandale Court east of Pleasant Garden Road.

Mr. Hails reviewed the two zoning proposals; presented a context map and photographs to illustrate the subject properties and surrounding areas; read the conditions attached to the zoning requests; stated the Logan-Anthony House was located on this property and that it was eligible for historic designation; provided highlights of the Zoning Commission meeting; and stated that the Zoning Commission had recommended approval of the rezonings.

Mayor Holliday asked if anyone wished to be heard.

Seth Coker, residing at 305 Blandwood Avenue and a partner in the project, spoke in support of the items, detailed the work of the Signature Group, offered information for illustrative purposes only about the proposed development, advised that the development proposal called for the use of the historic house, and noted that changes to the original proposal had been made after discussions and meetings with neighborhood representatives. He reviewed a number of reasons why Council should support the proposed annexation and zoning ordinances. In response to Council inquiry, Mr. Coker noted that there would be public access for visitors to visit the Logan-Anthony House.

Assistant City Manager Morgan reminded Council that saving the historic house was not a condition attached to the proposed ordinance.

There being no additional speakers, Councilmember Gatten moved to close the public hearing. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

Mr. Hails stated that the proposed development was consistent with the GFLUM recommendations for diverse mixed use and stated that staff recommended approval of the items.

Councilmember Bellamy-Small moved adoption of the ordinance annexing territory to the corporate limits (located at 3307 Pleasant Garden Road and 901 Logandale Court—21.939 acres. The motion was seconded by

Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-166 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 3307 PLEASANT GARDEN ROAD AND 901 LOGANDALE COURT—21.939 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at an existing iron pin at the southwest corner of the SSP Properties, LLC property as described in Deed Book 6251 at Page 300 of the Guilford County Registry, said iron being on the eastern right-of-way of Pleasant Garden Road, said iron having N.C. Grid coordinates as follows: N=828,895.48 E=1,771,570.65 (NAD 83) (US Survey Ft.); THENCE PROCEEDING WITH THE EXISTING CITY LIMITS and the southern line of the SSP Properties, LLC property South 87°-06'-27" East for a distance of 252.91 feet to an existing iron pin; Thence with the southern line of the SSP Properties, LLC property as described in Deed Book 6440 at Page 2761 South 88°-36'-17" East for a distance of 458.90 feet to an existing iron pin; Thence with the southern line of the SSP Properties, LLC property as described in Deed Book 6440 at Page 2761 S 88°-36'-17 E for a distance of 341.57 feet to an existing iron pin; THENCE DEPARTING FROM THE EXISTING CITY LIMITS and with the west line of the Paul J. Greene property as described in Deed Book 3546 at Page 1122 South 01°-29'-46" West for a distance of 718.73 feet to an existing iron pin; Thence with the northern right-of-way of Logandale Court seven (7) calls as follows: North 89°-44'-09" West for a distance of 352.78 to an existing iron pipe at the southwest corner of Lot 2 as recorded in Plat Book 64 at Page 124; North 89°-44'-09" West for a distance of 87.72 feet to an iron pin set; Thence along an arc to the right with a radius of 2642.20 feet, an arc length of 158.94 feet, being subtended by a chord bearing of North 88°-00'-45" West and a chord distance of 158.92 feet to an iron pin set; Thence North 86°-17'-21" West for a distance of 215.16 feet to an existing iron pin at the southwest corner of Lot 5A as recorded in Plat Book 15 at Page 64; Thence North 86°-17'-21" West for a distance of 428.04 feet to an iron pin set; Thence along an arc to the left with a radius of 1130.00 feet, an arc length of 132.47, being subtended by a chord bearing of North 89°-38'-51" West and a chord distance of 132.39; Thence along an arc to the right with a radius of 1119.52, an arc length of 73.08 feet, being subtended by a chord bearing of South 88°-51'-51" West and a chord distance of 73.06 feet to an iron pin set; Thence with the east line of the Obara T. Fentress property North 43°-04'-00" East for a distance of 104.98 feet to an existing iron pin; Thence with the east line of the Obara T. Fentress property North 81°-36'-17" West for a distance of 202.61 feet to an existing iron pin on the eastern right-of-way of Pleasant Garden Road; Thence with the eastern right-of-way of Pleasant Garden Road five(5) calls as follows: North 43°-01'-12" East for a distance of 237.40 feet to an iron pin set; Thence along an arc to the right with a radius of 14746.93 feet, an arc length of 49.90 feet to an iron pin set, being subtended by a chord bearing of North 43°-07'01" West and a chord distance of 49.90 feet to an iron pin set; Thence North 43°-12'-50" East for a distance of 176.42 feet to an iron pin set; Thence along an arc to the left with a radius of 3791.66, an arc length of 99.64 feet, being subtended by a chord bearing of North 42°-27'-40" East and a chord distance of 99.63 feet to an iron pin set; Thence along an arc to the left with a radius of 5842.41, an arc length of 227.89 feet, being subtended by a chord bearing of North 40°-35'-27" East and a chord distance of 227.87 feet to an iron pin set; Thence North 39°-28'-24" East for a distance of 14.00 feet to the Point and Place of Beginning and containing 21.930 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 30, 2006, the liability for municipal taxes for the 2006-2007 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2007. Municipal ad valorem taxes for the 2007-2008 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2006.

(Signed) T. Dianne Bellamy-Small

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Councilmember Phillips moved adoption of the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, located on the east side of Pleasant Garden Road from County RS-40 to City CD-RM-18, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Mixed Use Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it links approvals of annexation petitions to water/sewer extension policies regarding designated growth areas; and it promotes mixed-income neighborhoods. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-167 AMENDING OFFICIAL ZONING MAP

EAST SIDE OF PLEASANT GARDEN ROAD BETWEEN LOGANDALE COURT AND US 421 SOUTH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40 Residential Single Family to City Zoning Conditional District – RM-18 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the eastern right-of-way line of Pleasant Garden Road, said point being the northwest corner of Guilford County Tax Map 9-629, Block 560W, Lot 19; thence along said eastern right-of-way line N42°12'31"E 808.14 feet to a point; thence S87°56'45"E 234.65 feet to a point; thence S89°12'59"E 458.98 feet to a point; thence S89°10'39"E 341.61 feet to a point; thence S00°55'34"W 613.93 feet to a point; thence N89°41'53"W 425.25 feet to a point; thence N86°18'53"W 385.35 feet to a point; thence N88°08'35"W 489.94 feet to a point; thence S71°11'48"W 60.86 feet to a point; thence N87°07'45"W 211.21 feet to the point and place of BEGINNING as shown on "Rezoning Exhibit Pleasant Garden" prepared by CPT Engineering and Surveying, Inc. and dated 4/26/2006.

Section 2. That the original zoning to Conditional District – RM-18 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Residential multifamily and accessory structures only.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Thomas M. Phillips

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Councilmember Phillips moved adoption of the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, located on the north side of Logandale Court from County RS-40 to City CD-RM-18, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it is generally consistent with the Mixed Use Residential land use category indicated for this site on the Connections 2025 Generalized Future Land Use Map; it links approvals of annexation petitions to water/sewer extension policies regarding designated growth areas; and it promotes mixed-income neighborhoods. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-168 AMENDING OFFICIAL ZONING MAP

#### NORTH SIDE OF LOGANDALE COURT EAST OF PLEASANT GARDEN ROAD

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40 Residential Single Family to City Zoning Conditional District – RM-18 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the northern right-of-way line of Logandale Court, said point being the southeast corner of Guilford County Tax Map 9-629, Block 560W, Lot 19; thence N42°18'15"E 129.47 feet to a point; thence S88°08'35"E 489.94 feet to a point; thence S86°18'53"E 385.35 feet to a point; thence S89°41'53"E 425.25 feet to a point; thence S00°55'34"W 120.01 feet to a point in the northern right-of-way line of Logandale Court; thence along said northern right-of-way line the following three courses and distances: 1) N89°41'53"W 427.49 feet to a point; 2) N86°18'53"W 386.98 feet to a point; and 3) N88°08'35"W 628.96 feet to the point and place of BEGINNING, as shown on "Rezoning Exhibit Pleasant Garden" prepared by CPT Engineering and Surveying, Inc. and dated 4/26/2006.

Section 2. That the original zoning to Conditional District – RM-18 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Residential multifamily and accessory structures only.
- 2) Property to be developed in conjunction with the tract to the north.
- 3) 40' wide undisturbed buffer immediately adjacent along Logandale Court except as required for temporary construction entrance which would be replanted at a Type A planting rate upon completion of the development.
- 4) 40' wide non-built upon buffer along Logandale Court in addition to the buffer in Condition No. 3.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Thomas M. Phillips

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The Mayor declared a recess at 7:25 p.m.

The meeting reconvened at 7:50 p.m. with all members of Council present.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located at 4220 and 4229 Pleasant Garden Road—65.61 acres. He thereupon introduced so these matters could be discussed together an ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the *Connections 2025 Comprehensive Plan* Generalized Future Land Use Map (Figure 4-2) for a portion of the property located on the southeast and southwest quadrants of Pleasant Garden Road and Interstate 85 (Greensboro Urban Loop) from the Industrial/Corporate Park land use classification to the Mixed Use Residential land use classification; an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning Conditional District-RS-12 Residential Single Family for property located at the southeast quadrant of Pleasant Garden Road and Interstate 85 (Greensboro Urban Loop) and an ordinance establishing original zoning classification from County Zoning General Office Moderate Intensity to City Zoning Conditional District-RM-18 Residential Multifamily for property located at the southwest quadrant of Pleasant Garden Road and Interstate 85 (Greensboro Urban Loop).

The Mayor noted that Council had received a request from the Town of Pleasant Garden to continue these items. After Councilmember Bellamy-Small stated that she had been advised that they wanted to withdraw the request for continuance, Council agreed to the withdrawal.

Mr. Hails reviewed the proposal; presented a context map and photographs to illustrate the subject properties and surrounding area; read the conditions attached to the zoning requests; provided highlights of the Zoning Commission meeting; and stated that the Zoning Commission had recommended approval of the zonings.

Mayor Holliday asked if anyone wished to be heard.

The following individuals spoke in support of the items.

Henry Isaacson, attorney representing Carroll Investment Properties and Carrolland Corporation, reviewed in detail information provided for illustrative purposes only showing maps and photographs of the subject and surrounding properties, illustrative site plans, the executive summary of the transportation impact study that indicated area roadways were operating at acceptable levels, and a sample of the letter to adjoining neighbors advising of the proposed property development. Mr. Isaacson spoke to the operation of the company, noted the condition requiring a fence would address concerns of the adjacent farmland, and stated that I-85 had changed the landscape in the area creating opportunities for new development and for families who wished to live in the area. He stated the density of the proposed development was reasonable and would offer quality residential options at reasonable prices, was compatible with comprehensive plan recommendations, spoke to the current zoning on the property and permitted uses, and requested Council to approve the items.

Discussion was held with regard to buffering between the single family homes and I-85, the disposition of the pond located on the property, the desire to have the opportunity to offer additional connectivity to the property if possible, the fact that the developer would make improvements required in the subdivision ordinance, details with regard to the traffic patterns and intersections in the area of development, the need for some roadway improvements after the development,

Terry Snow, Wilbur Smith and Associates, developer of the traffic impact study for this development, spoke to the acceptable levels of traffic on Pleasant Garden Road and noted the level of service would be lower for traffic entering from side streets. In response to Council inquiry, Mr. Snow stated that adequate sight distance would be provided to ensure there were no visual impairments.

Roy Carroll, residing at 404 North Eugene Street, spoke in favor of the items. He described plans for the proposed development and its operation, reviewed his company's efforts to screen potential tenants, noted the need



for this type of housing near the commercial area and spoke to meetings with Pleasant Garden's Mayor and Mayor Pro Tem to discuss the proposal.

Philip Marion, residing at the corner of Woodedge and Garden Gate Drive, stated that he and several of his neighbors who were present in the Chamber had no problem with the proposed development and provided information with regard to the location of their properties in relation to the proposed development.

The following individuals spoke in opposition to the items.

Rick Wallace, Mayor of Pleasant Garden, NC, spoke in opposition to the items, stated Pleasant Garden would like to work with Greensboro to develop a transitional zoning area between high and low density areas between the municipalities and spoke to meetings with the developer. He described the existing zoning classifications in Pleasant Garden, spoke to the sense of community among its citizens and stated he believed the proposed zoning would affect the quality of life of Town residents.

Mayor Wallace expressed concern with regard to the density of the proposed development and to the negative impact he believed it would have on the Town's property values, the schools located in the area, Pleasant Garden Road and other roadways in the area, and the Town's recreational programs.

Council discussed with Mayor Wallace their thoughts with regard to a transition area, whether there was evidence that the development would decrease the Town's property values, the benefits to Pleasant Garden residents of recent commercial development on I-85 in Greensboro, citizens who reside in Pleasant Garden and work in Greensboro, and to the benefits of the continued expansion of Greensboro. Discussion was also held with regard to overall traffic issues in the area; i.e., impact of traffic from the development, current and projected level of service on Pleasant Garden Road and side roadways,

Wilson Elkins, residing at 4248 Pleasant Garden Road, spoke in opposition to the items, noted the Voluntary Agricultural District per the Guilford County ordinance agreement bordered this property, and expressed concern for security issues surrounding this proposed development.

Jean Greeson, residing at 700 Ritters Lake Road, spoke in opposition to the proposals, stated that she had opposed the location of I-85 near Pleasant Garden, spoke to traffic and noise from the bypass at her residence and other locations, and expressed concern with regard to current and potential traffic concerns in area.

Speaking in rebuttal in favor of the ordinances, Mr. Isaacson spoke to meetings with the Mayor and Mayor Pro Tem of Pleasant Garden to discuss the proposed development, their interest in a possible zoning transition area and the fact that the Greensboro City Council would decide how development would occur if annexation petitions were received. He reviewed the traffic impact study that indicated Pleasant Garden Road was adequate to handle traffic from the development, spoke to the roadway system in the area, and noted the permitted uses allowed under the existing zoning. He noted discussion was held with regard to a possible transition area, the Greensboro City Council's authority as to how development would occur if an annexation petition were received, and offered information about the impact on the local schools.

Speaking in rebuttal in opposition of the items, Mayor Wallace reiterated concerns with the density of the proposed development, traffic impact on area traffic and intersections, and the desire for Pleasant Garden to maintain its quality of life and traditions.

John Fields, residing at 905 Ritters Lake Road, spoke in opposition to the items and expressed concern with regard to the grade crossings in the area and the impact/problems that the increased traffic would have on those crossings. Some members of Council noted that this issue had been addressed in the traffic impact study.

Ron Surgeon, residing in Pleasant Garden, NC, expressed appreciation to Council for discussions and offered his support of a partnership with Greensboro.

Ms. Greeson reiterated her opposition and concerns expressed earlier in the meeting.

Councilmember Johnson moved to close the public hearing. The motion was seconded by Councilmember Bellamy-Small and adopted unanimously by voice vote of Council.

Mr. Hails provided the staff report which included but was not limited to: the opinion that other industrial sites were more accessible to the interchange; that unforeseen circumstances had occurred; i.e., major retail north of the interstate, since the adoption of the Comprehensive Plan which had impacted the possible types of development that would be appropriate; that the development of multifamily units in the vicinity of commercial zoning was positive; that this was an area of transition and the impact the introduction of water and sewer service would have on the area; that the issue of the existing railroads would be addressed, and the need for future western access to the property. He stated that staff recommended adoption of the items.

Council offered individual thoughts about the proposals. The Transportation Department staff was requested to look at area intersections and roadways to determine if any improvements/enhancements might be needed to accommodate additional traffic and safe access to the proposed developments. Councilmember Bellamy-Small also requested that staff explore the feasibility of providing bus service to the area. Because Mayor Wallace stated that Pleasant Garden hadn't officially been notified of the proposed items, Mayor Holliday spoke to the need for Council to discuss the City's notification process, possibly at an upcoming briefing session.

Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits (located at 4220 and 4229 Pleasant Garden Road-65.61 acres. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-169 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 4220 AND 4229 PLEASANT GARDEN ROAD—65.61 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

Beginning at a point in the recorded western margin of Pleasant Garden Road, said point being the recorded southeastern property corner of Riley W. Clapp and wife, Laura D. Clapp as described and recorded in Deed Book 3230, Page 248 and Deed Book 5600, Page 157 in the Office of the Register of Deeds of Guilford County, N.C., said point also being the northeastern corner of Wilson O. Elkins and Jean K. Wilson as described and recorded in Deed Book 2997, Page 54 in said Guilford County Registry; thence, from said point of beginning, along said southern boundaries of Clapp, South 69° 10' 00" West 991.75 feet to a point marking Clapp's southwestern property corner; thence, along Clapp's western property line and the eastern property line of Jean K. Elkins as described and recorded in Deed Book 4917, Page 1988, North 11° 16' 00" West 855.11 feet to a point; thence along Clapp's northern property line, North 85° 46' 00" East 918.36 feet to a point on the recorded southern margin of Interstate 85; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, along the recorded southern margin of Interstate 85 South 85° 30' 22" East 67.34 feet to a point on the recorded western margin of Pleasant Garden Road; thence, in an easterly direction along the existing city limits approximate 60 feet along the recorded southern margin of Interstate 85 and crossing the right-of-way for Pleasant Garden Road; thence, along the recorded southern margin of Interstate 85 the following two bearing breaks: 1) South 73° 40' 42" East 1,971.68 feet to a right-of-way monument; 2) South 74° 10' 23" East 10.72 feet to a new iron pipe; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along the western property lines of Erick A. Ruiz & Christine R. Halsey as described and recorded in Deed Book 5548, Page 2083, Deed Book 4775, Page 698 & Deed Book 4982, Page 1739 and Frances Lillian Belton as described and recorded in Deed Book 5079, Page 18 and Deed Book 4259, Page 406 South 02° 05' 42" West 1,128.77 feet to a new iron pipe on the recorded northern margin of Gardengate Road; thence running along the recorded northern margin of Gardengate Road North 87° 01' 06" West 1,390.49 feet to a point; thence running along the eastern property line of Lawrence L. Nylin & Dorothy A. Nylin property as described and recorded in Deed Book 4991, Page 1617 in the Office of the Register of Deeds of Guilford County, N.C., North 03° 27' 46" East 677.00 feet to a point; thence running along the northern property of the above said Nylin's property North 87° 28' 26" West 340.00 feet to a point in the recorded eastern margin of Pleasant Garden Road, said point being the recorded northwestern property corner of the above said Nylin's property, said point also being the northwestern corner of the recorded plat of Watson Heirs Property recorded in Plat Book 136, Page 66 in said Guilford County Registry; thence, from said point, running along said recorded eastern margin of Pleasant Garden

Road the following two bearing breaks: 1) along a curve to the left, having a radius of 1,416.08 feet and a chord bearing and distance of North 06°20'30" West 436.12 feet to a point; thence, from said point in a southwesterly direction across the approximately 60-foot right-of-way for Pleasant Garden Road to the point and place of beginning, containing an area of 65.61 acres, more or less.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 30, 2006, the liability for municipal taxes for the 2006-2007 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2007. Municipal ad valorem taxes for the 2007-2008 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2006.

(Signed) Yvonne J. Johnson

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Councilmember Bellamy-Small moved adoption of the ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) for a portion of the property located on the southeast and southwest quadrants of Pleasant Garden Road and Interstate 85 (Greensboro Urban Loop) from the Industrial/Corporate Park land use classification to the Mixed Use Residential land use classification. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-170 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and is labeled Figure 4-2; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from the Industrial/Corporate Park to the Mixed-Use Residential land use classification for a portion of the property located on the southeast and southwest quadrants of Pleasant Garden Road and Interstate 85 (Greensboro Urban Loop); and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map Figure 4-2 is amended as follows:

Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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Councilmember Bellamy-Small moved adoption of the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, located on the east side of Pleasant Garden Road from County RS-40 to City CD-RS-12, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it continues to link City-initiated annexations and approvals of annexation petitions to water/sewer extension policies regarding designated growth areas; it promotes mixed-income neighborhoods; it promotes the diversification of new housing stock to meet the needs of all citizens for suitable housing; and it meets the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-171 AMENDING OFFICIAL ZONING MAP

#### SOUTHEAST QUADRANT OF PLEASANT GARDEN ROAD AND INTERSTATE 85 (GREENSBORO URBAN LOOP)

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40 Residential Single Family to City Zoning Conditional District – RS-12 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the recorded eastern right-of-way line of Pleasant Garden Road, said point being the recorded northwestern corner of Lawrence L. Nylin and Dorothy A. Nylin as described and recorded in Deed Book 4991, Page 1617 in the Office of the Register of Deeds of Guilford County, N.C., said point also being the northwestern corner of the recorded plat of Watson Heirs Property recorded in Plat Book 136, Page 66 in said Guilford County Registry; thence running along said recorded eastern right-of-way line of Pleasant Garden Road the following three bearing breaks: 1) along a curve to the left, having a radius of 1416.08 feet and a chord bearing and distance of N06°20'30"W 436.12 feet to a point; 2) N15°11'38"W 357.20 feet to a point; 3) along a curve to the right, having a radius of 1615.68 feet and a chord bearing and distance of N12°34'43"W 147.33 feet to a new iron pipe on the southern right-of-way line of Interstate I-85; thence along the recorded southern right-of-way line of Interstate 85 the following two bearing breaks: 1) S73°40'42"E 1971.68 feet to a right-of-way monument; 2) S74°10'23"E 10.72 feet to a new iron pipe; thence along the western property lines of Erick A. Ruiz and Christine R. Halsey as recorded in Deed Book 5548, Page 2083, Deed Book 4775, Page 698 and Deed Book 4982, Page 1739 and Frances Lillian Belton as recorded in Deed Book 5079, Page 18 and Deed Book 4259, Page 406 S02°05'42"W 1128.77 feet to a new iron pipe on the recorded northern right-of-way line of Gardengate Road; thence running along the recorded northern right-of-way line of Gardengate Road N87°01'06"W 1390.49 feet to a point; thence running along the eastern property line of the above said Nylin's property N03°27'46"E 677.00 feet to a point; thence running along the northern property of the above said Nylin's property N87°28'26"W 340.00 feet to the point and place of BEGINNING, containing an area of 48.913 acres, more or less.

Section 2. That the original zoning of to Conditional District – RS-12 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to single family homes in the RS-12 zoning district.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) T. Dianne Bellamy-Small

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Councilmember Bellamy-Small moved adoption of the ordinance and stated that the Greensboro City Council believes that its action to approve the zoning amendment, located on the west side of Pleasant Garden Road from County GO-M to City CD-RM-18, to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: it continues to link City-initiated annexations and approvals of annexation petitions to water/sewer extension policies regarding designated growth areas; it promotes mixed-income neighborhoods; it promotes the diversification of new housing stock to meet the needs of all citizens for suitable housing; and it meets the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. The motion was seconded by Councilmember Wells; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 06-172 AMENDING OFFICIAL ZONING MAP

#### SOUTHWEST QUADRANT OF PLEASANT GARDEN ROAD AND INTERSTATE 85

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning General Office Moderate Intensity to City Zoning Conditional District – RM-18 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the western right-of-way line of Pleasant Garden Road, said point being the recorded southeastern property corner of Riley W. Clapp and wife, Laura D. Clapp as recorded in Deed Book 3230, Page 248 and Deed Book 5600, Page 157 in the Office of the Register of Deeds of Guilford County, N.C., said point also being the northeastern corner of Wilson O. Elkins and Jean K. Elkins as recorded in Deed Book 2997, Page 54; thence S69°10'00"W 991.75 feet to a point marking Clapp's southwestern property corner; thence along Clapp's western property line and the eastern line of Jean K. Elkins as recorded in Deed Book 4917, Page 1988 N11°16'00"W 855.11 feet to a point; thence along Clapp's northern property line N85°46'00"E 918.36 feet to a point on the recorded southern right-of-way line of Interstate 85; thence along said right-of-way line S85°30'22"E 67.34 feet to a point on the recorded western right-of-way line of Pleasant Garden Road; thence crossing Pleasant Garden Road S85°30'22"E 60 feet to a point in the eastern right-of-way line; thence along said eastern right-of-way line the following two bearing breaks: 1) along a curve to the left having a radius of 1675.67 feet and chord bearing and distance of S09°27'05"E 164.97 feet to a point; 2) S12°16'22"E 394.72 feet to a point; thence crossing Pleasant Garden Road S69°10'00"W 60 feet to the point and place of BEGINNING.

Section 2. That the original zoning to Conditional District – RM-18 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to multifamily dwellings.
- 2) There shall be a maximum of 286 units, plus clubhouse.
- 3) There shall be one access to the subject property which shall be on Pleasant Garden Road.
- 4) A six-foot high vinyl coated, chain link fence shall be erected and maintained around the perimeter (three sides) of the property.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) T. Dianne Bellamy-Small

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Stating that this was the time and place set for a public hearing to consider a resolution closing Seawell Road from Pinecroft Road west to Veasley Street, Mayor Holliday asked if anyone wished to be heard. Councilmember Johnson moved adoption of the resolution; the motion was seconded by Councilmember Phillips. No action was taken.

After brief discussion with staff and the Assistant City Attorney with regard to the manner in which Council should appropriately address Koury Corporation's request to Councilmember Carmany that any conditions be removed from the street closing request and there being no one present desiring to speak to this matter, Councilmember Barber thereupon moved that the street closing be adopted and that the effective date was upon Council's approval of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 147-06 RESOLUTION CLOSING SEAWELL ROAD FROM PINECROFT ROAD WEST TO VEASLEY STREET

WHEREAS, the owner of all of the property abutting both sides of Seawell Road has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Monday, July 31, 2006, at 5:30 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

SEAWELL ROAD FROM PINECROFT ROAD WEST TO VEASLEY STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line to include but not be limited to: a 20 foot easement over an 8-inch City water line in this block and 15 foot easements for the overhead power and telephone lines located in the above mentioned street until such time as said lines are no longer required for public service.

(Signed) Mike Barber

.....

After Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution closing the southernmost part of Byers Ridge Road, that part not being utilized for the realigned and extended street, the Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Vaughan. Noes: None.

148-06 RESOLUTION CLOSING THE SOUTHERNMOST PART OF BYERS RIDGE ROAD, THAT PART NOT BEING UTILIZED FOR THE REALIGNED AND EXTENDED STREET

WHEREAS, the owner of all of the property abutting both sides of Byers Ridge Road has requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Monday, July 31, 2006, at 5:30 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned portion of street has requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

THE SOUTHERNMOST PART OF BYERS RIDGE ROAD, THAT PART NOT BEING UTILIZED FOR THE REALIGNED AND EXTENDED STREET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line to include but not be limited to: a 20 foot easement over City water and sewer lines in this block, until such time as said lines are no longer required for public service.

(Signed) Thomas M. Phillips

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution closing Hicone Road from the City Limits westward then southward to Brightwood School Road, a distance of approximately 2,100 feet. The Mayor asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Wells; the resolution was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Vaughan. Noes: None.

149-06 RESOLUTION CLOSING HICONE ROAD FROM THE CITY LIMITS WESTWARD THEN SOUTHWARD TO BRIGHTWOOD SCHOOL ROAD, A DISTANCE OF APPROXIMATELY 2,100 FEET

WHEREAS, the owner of all of the property abutting both sides of Hicone Road has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Monday, July 31, 2006 at 5:30 on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

HICONE ROAD FROM THE CITY LIMITS WESTWARD THEN SOUTHWARD TO BRIGHTWOOD SCHOOL ROAD, A DISTANCE OF APPROXIMATELY 2,100 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Florence F. Gatten

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution authorizing on basis of public necessity sanitary sewer improvements on Lake Jeanette Road sewer extension from Ridgedale Drive to approximately 350 feet southwest of Ridgedale Drive. Mayor Holliday noted that staff had requested that this resolution be continued to the August 15 meeting in order for staff to notify additional property owners. He asked if anyone was present in the Chamber with regard to this matter; no one was present to speak to this matter.

Councilmember Gatten moved to continue the resolution to the August 15, 2006 Council meeting without further advertising. The motion was seconded by Councilmember Wells and adopted unanimously by voice vote of Council.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution approving amendment to the Cumberland Project Redevelopment Plan.

Dan Curry, Deputy Director and Development Manager for the Department of Housing and Community Development, reviewed the proposed amendment, used a map to illustrate the redevelopment area, and stated the Redevelopment Commission and the Planning Board recommended in favor of the amendment to allow mixed use development on property located at the northwest corner of Murrow Boulevard and Lindsay Street.

Mayor Holliday asked if anyone wished to speak to this matter.

Brian Byrd, attorney representing Kavanaugh Associates, spoke in favor of the street closing, described the location of this property and stated the plan amendment was necessary before a rezoning request could be submitted. He stated if the amendment were approved, the company planned to ask for a rezoning of the property

In response to Council inquiry, Mr. Byrd spoke to efforts to notify land owners and the desire to plan meetings with stakeholders to discuss and receive input from the area.

There being no additional speakers, Councilmember Gatten moved to close the public hearing. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

#### 150-06 RESOLUTION APPROVING AMENDMENT TO THE CUMBERLAND PROJECT REDEVELOPMENT PLAN

WHEREAS, the Cumberland Project Redevelopment Plan was originally approved by the Redevelopment Commission in 1959 and completed in 1966 which incorporated certain restrictions and controls that are still in effect today;

WHEREAS, developer representatives are interested in developing property located within the Plan's perimeters at the northwest corner of Murrow Boulevard and Lindsay Streets;

WHEREAS, under the current Plan, restrictions limit said property to wholesale and light industrial uses;

WHEREAS, the developer representatives are requesting that the Plan restrictions be amended to mixed-use restrictions which could include retail, office, institutional, and/or residential uses;

WHEREAS, the Amendment presented herewith this day would allow mixed use of the subject properties and would also provide for a change in the zoning of this site to accommodate such usage;

WHEREAS, the Redevelopment Commission has approved this Amendment and the Greensboro Planning Board has also received a favorable recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Amendment to the Cumberland Project Redevelopment Plan presented herewith this day is hereby approved.

(Signed) Florence F. Gatten

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Councilmember Bellamy-Small moved adoption of the resolutions and motion listed on the Consent Agenda. The motion was seconded by Councilmember Gatten; the Consent Agenda was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Vaughan. Noes: None.

151-06 RESOLUTION APPROVING AN INTER-LOCAL AGREEMENT WITH GUILFORD COUNTY FOR THE ORDERLY TRANSITION OF DEVELOPMENT FUNDS TO PARK VIEW DEVELOPMENT, LLC D/B/A CENTER POINTE FOR THE REVITALIZATION OF 201 NORTH ELM STREET TOWER

WHEREAS, at its May 16, 2006 meeting, City Council approved an Urban Development Grant in the maximum amount of \$1,100,000 to the developer of 201 North Elm Street Tower;

WHEREAS, Guilford County has also approved a grant in the amount of \$1,000,000 to the same Developer for the same project;

WHEREAS, to facilitate and coordinate the payment of funds to the Developer, it is recommended that the provisions of NCGS 160A-461 for Interlocal agreement be utilized and that a joint agreement for the payment of said funds be executed between the County and City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That an Inter-Local Agreement with Guilford County for the orderly transition of development funds to Park View Development, LLC d/b/a Center Pointe for the revitalization of 201 North Elm Street Tower is hereby approved.

(Signed) T. Dianne Bellamy-Small

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152-06 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1<sup>st</sup> meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) T. Dianne Bellamy-Small

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153-06 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-08A WITH KENNETH R. GREENE UTILITY CONTRACTOR, INC. FOR THE SANITARY SEWER REHABILITATION PROJECT "E" PROJECT

WHEREAS, Contract No. 2000-08A with Kenneth R. Greene Utility Contractor, Inc. provides for the rehabilitation of 12,049 linear feet of sewer line by sliplining in various locations around the city;

WHEREAS, Water Resources has identified additional sewer lines that it would like to rehabilitate using this contract and this change order will allow additional work at an excellent price;

WHEREAS, due to special conditions of the Contract, the City reserves the right to extend this Contract as a "Unit Price Contract" annually from the award date, thereby necessitating a change order in the contract in the amount of \$1,000,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Kenneth R. Greene Utility Contractor, Inc. for the sanitary sewer rehabilitation project "E" project is hereby authorized at a total cost of \$1,000,000, payment of said additional amount to be made from Account No. 503-7016-02.6017 Activity 07084.

(Signed) T. Dianne Bellamy-Small

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154-06 RESOLUTION APPROVING AND AUTHORIZING ADJUSTMENT TO WATER AND SEWER BILL TO MOSES H. CONE EXTENDED CARE FACILITY FOR SERVICE TO 1131 NORTH CHURCH STREET

WHEREAS, under the Rules and Regulations for the Operation of the Water and Wastewater System of the City of Greensboro the Water Resources Customer Service Department is occasionally required to make adjustments to customer service bills;

WHEREAS, Moses H. Cone Extended Care is the owner of property located at 1131 North Church Street;

WHEREAS, during maintenance at said location on May 24, 2006, the dial on the meter was changed and the new dial was actually reading 7308 instead of zero;

WHEREAS, as a result of this error, the customer was billed for 7308 units of water they did not use;

WHEREAS, it has been determined that \$14,981.40 represents the water rebate and \$18,635.40 represents the sewer rebate for a total adjustment of \$33,616.80.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the reduction of this water bill is hereby approved and the Water Resources Customer Service Department is hereby authorized to reduce the bill to Moses H. Cone Extended Care Facility for service to 1131 North Church Street by \$33,616.80.

(Signed) T. Dianne Bellamy-Small

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155-06 RESOLUTION APPROVING APPRAISAL AND AUTHORIZING THE PURCHASE OF PROPERTY OF WILCO HESS LLC FOR THE BATTLEGROUND RAIL TRAIL PROJECT

WHEREAS, in connection with the Battleground Rail Trail project, the property owned by Wilco Hess, LLC along Battleground Avenue at Tax Map Nos. 273-6-14 and 34 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$31,697.21, which appraisal, in the opinion of the City Council, is fair and reasonable;

WHEREAS, the owner has agreed to convey said property to the City at the appraised price and it is deemed in the best interest of the City to acquire said property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appraisal of the above mentioned portion of property in the amount of \$31,697.21 is hereby approved, and the purchase of the property in accordance with the appraisal is hereby authorized, payment to be made from Account No. 441-6004-02.6012 Activity #02042.

(Signed) T. Dianne Bellamy-Small

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Motion to approve minutes of regular and special meetings of July 18, 2006 was unanimously adopted.

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Mayor Holliday introduced an ordinance authorizing Special Use Permit for a Salvage Yard, Scrap Processing Facility, for property located on the north side of Holts Chapel Road between East Market Street and East Camel Street. He noted this was the second reading for the ordinance that had received five affirmative votes at the July 18, 2006 Council meeting and stated that the public hearing had been closed.

Councilmember Gatten stated that she had reviewed the video tape of the July 18 meeting, read the minutes of the meeting and reviewed the handouts with regard to the matter.

Some members of Council discussed opinions with respect to their individual support or non-support of this ordinance.

After the Assistant City Manager advised that a petition had been received from area residents with respect to this matter, the Assistant City Attorney advised that the petition could not be accepted or considered because the public hearing had been closed.

Councilmember Barber moved to approve the ordinance authorizing the special use permit for a salvage yard, scrap processing facility because the use will not materially endanger the public health or safety if located where proposed, the use will meet any restrictions imposed pursuant to Section 30-3-14.4, the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and that the location and character of the use will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Barber, Groat, Holliday, Johnson, Gatten and Phillips. Noes: Bellamy-Small, Carmany and Wells.

06-173 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF SPECIAL USE PERMIT

NORTH SIDE OF HOLTS CHAPEL ROAD BETWEEN EAST MARKET STREET AND EAST CAMEL STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by the issuance of a Special Use Permit authorizing use of the property described below for a Salvage Yard, Scrap Processing Facility in a Heavy Industrial District (subject to those conditions and limitations as set forth in Section 2, 3, and 4 of this ordinance):

BEGINNING at a point in the northern right-of-way line of Holts Chapel Road, said point being a common corner with Lot 2 of Axton-Cross Chemical Company as recorded in Plat Book 51, Page 2 in the Office of the Guilford County Register of Deeds; thence along said northern right-of-way line N65°13'00"W 462.36 feet to a point; thence N53°14'00"W 29.69 feet to a point; thence leaving said northern right-of-way line N59°36'00"E 116.83 feet to a point; thence N57°15'30"E 160.00 feet to a point; thence N54°51'30"E 200.48 feet to a point; thence N53°58'30"E 181.20 feet to a point; thence S36°01'30"E 408.33 feet to a point; thence S53°58'30"W 421.31 feet to the point and place of BEGINNING and being Lot 1 of said Axton-Cross Chemical Company.

Section 2. That the issuance of a Special Use Permit is hereby authorized subject to the following conditions:

- 1) Applicant shall install and/or maintain a Type A rate of staggered double row of Leland Cypress trees around the subject property except where the property abuts the eastern line of the subject property (owned by applicant).
- 2) Applicant shall implement and maintain dust control measures, such as frequent watering of the subject property, to control dust as necessary but in any event an average of not less frequently than every 72 hours.
- 3) Applicant shall install and maintain a concrete driveway with catch basin to control water runoff at the subject property.
- 4) Applicant shall install and maintain in good condition gravel and/or asphalt along the main travel areas of the subject property.
- 5) Applicant shall implement street cleaning measures in front of the subject property to maintain the street in reasonably clean condition.
- 6) Any exterior lighting on the subject property shall be directed away from adjoining properties.
- 7) Any materials received on the subject property shall be recycled or processed and removed from the subject property within 90 days after delivery. Applicant shall make available for inspection by City of Greensboro at reasonable times Applicant's books and records to confirm timing of processing of materials at the subject property.
- 8) Any grinding of lumber or wood products shall be conducted under industry approved "wet grind" conditions to control dust.
- 9) The hours of operation of any outside activities for which the special use permit is issued (except for ordinary maintenance) shall be restricted to 6:00 am until 8:00 pm, Monday through Saturday.

Section 3. For use as a Salvage Yard, Scrap Processing Facility, this property will be perpetually bound and subject to the conditions imposed in Section 2, unless subsequently changed or amended, or until such time as this Special Use Permit shall expire or the permitted activity shall be discontinued, as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to this Special Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations of, or failure to accept, any conditions and limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of adoption.

(Signed) Mike Barber

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The Mayor introduced an ordinance amending in the net amount of \$6,097,379 the FY 2006-07 Solid Waste Management and General Funds to transfer appropriations from the Solid Waste Management Fund to the General Fund for the establishment of the Field Operations Department.

After brief comments, Councilmember Phillips moved adoption of the ordinance. The motion was seconded by Councilmember Gatten; the ordinance was adopted on the following roll call vote: Ayes: Barber, Bellamy-Small, Carmany, Gatten, Groat, Holliday, Johnson, Phillips and Wells. Noes: None.

06-174 ORDINANCE AMENDING THE FY 2006-07 SOLID WASTE MANAGEMENT AND GENERAL FUNDS TO TRANSFER APPROPRIATIONS FROM THE SOLID WASTE MANAGEMENT FUND TO THE GENERAL FUND FOR THE ESTABLISHMENT OF THE FIELD OPERATIONS DEPARTMENT

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 2006-07 Solid Waste Management Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 2006-07 Solid Waste Management Fund be **decreased** as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
551-6506-01.4000	Salaries & Benefits	\$267,174
551-6506-01.5000	Maintenance & Operations	309,312
551-6506-02.4000	Salaries & Benefits	419,393
551-6506-02.5000	Maintenance & Operations	171,858
551-6507-01.4000	Salaries & Benefits	853,560
551-6507-01.5000	Maintenance & Operations	172,126
551-6507-02.4000	Salaries & Benefits	922,706
551-6507-02.5000	Maintenance & Operations	2,487,776
551-6507-03.4000	Salaries & Benefits	723,185
551-6507-03.5000	Maintenance & Operations	1,489,770
551-6507-04.4000	Salaries & Benefits	997,986
551-6507-04.5000	Maintenance & Operations	605,925
551-6507-05.4000	Salaries & Benefits	191,715
551-6507-05.5000	Maintenance & Operations	55,504
551-6507-06.4000	Salaries & Benefits	692,300
551-6507-06.5000	Maintenance & Operations	1,221,770
551-6507-07.4000	Salaries & Benefits	388,815
551-6507-07.5000	Maintenance & Operations	528,275
551-6507-08.4000	Salaries & Benefits	912,327
551-6507-08.5000	Maintenance & Operations	626,425
551-6507-09.4000	Salaries & Benefits	51,334
551-6507-09.5000	Maintenance & Operations	<u>2,252,429</u>
TOTAL:		\$16,341,665

and, that this **decrease** be financed by decreasing the following FY 2006-07 Solid Waste Management accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
551-6507-02.8100	Waste/Trash Collection	\$ 33,780

551-6507-02.8600	Sale of Materials	\$ 3,500
551-6507-03.8100	Waste/Trash Collection	\$ 4,670,718
551-6507-04.8620	Donations & Private Contrib.	\$ 25,000
551-6507-09.8600	Sale of Materials	\$ 700,000
551-0000-00.8910	Appr. Fund Balance – Enc.	\$ 664,381
551-0000-00.9101	Transfer from General Fund	<u>\$10,244,286</u>

TOTAL: \$16,341,665

## Section 2

That the FY 2006-07 General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the FY 2006-07 General Fund be **increased** as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-4301-04.4000	Salaries & Benefits	\$267,174
101-4301-04.5000	M&O	309,312
101-4302-06.4000	Salaries & Benefits	419,393
101-4302-06.5000	M&O	171,858
101-4302-01.4000	Salaries & Benefits	2,763,873
101-4302-01.5000	M&O	1,404,476
101-4302-02.4000	Salaries & Benefits	1,114,421
101-4302-02.5000	M&O	2,543,280
101-4302-04.4000	Salaries & Benefits	723,185
101-4302-04.5000	M&O	1,489,770
101-4302-03.4000	Salaries & Benefits	692,300
101-4302-03.5000	M&O	1,221,770
101-4302-03.4000	Salaries & Benefits	692,300
101-4302-03.5000	M&O	1,221,770
101-4302-05.4000	Salaries & Benefits	388,815
101-4302-05.5000	M&O	528,275
101-4301-03.4000	Salaries & Benefits	51,334
101-4301-03.5000	M&O	2,252,429
101-9550-01.6551	Transfer to Solid Waste Mgmt. Fund	<u>(10,244,286)</u>

TOTAL: \$6,097,379

and, that this increase be financed by increasing the following FY 2006-07 General Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-4302-02.8100	Waste/Trash Collection	\$ 33,780
101-4302-02.8600	Sale of Materials	\$ 3,500
101-4302-04.8100	Waste/Trash Collection	\$ 4,670,718
101-4302-01.8620	Donations & Private Contrib.	\$ 25,000
101-4301-03.8600	Sale of Materials	\$ 700,000
101-0000-00.8910	Appr. Fund Balance – Enc.	\$ <u>664,381</u>

TOTAL: \$6,097,379

## Section 3

That this ordinance should become effective upon adoption.

(Signed) Thomas M. Phillips

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The Mayor declared a recess at 9:50 p.m.

The meeting reconvened at 10:01 p.m. with all members of Council present at the meeting.

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Council discussed community events and items of interest, including Coliseum events; the reception for the Collegiate Council scheduled for 4:00 p.m. on August 15, 2006 in the Plaza Level Conference Room; the kickoff event for the HEAT bus service on August 7 and the beginning of the service on August 8; the National Night Out celebration on Tuesday, August 1; and the Council's tour of the Elon University School of Law.

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Councilmember Barber stated that he had received information that Forsyth County had received bids for recycling at a cost of \$15 per ton, while Greensboro paid \$35 per ton. Assistant City Manager Brown stated that he would investigate and provide information to Council.

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Councilmember Wells expressed appreciation to staff in the Inspections, Police and Transportation Departments for their response to District 2 concerns.

After Councilmember Wells noted that Concerned Citizens for Northeast Greensboro had received training for emergency response and Councilmember Bellamy-Small commented about plans to provide emergency training to members of the fire department in order that they might train communities, Assistant City Manager Brown advised a presentation with regard to an Emergency Plan for Greensboro would be scheduled at Council's August briefing.

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After Councilmember Bellamy-Small reiterated concerns with regard to the parking of vehicles on city streets in the Randleman Road area for the purpose of sale, discussion with staff was held with regard to the lack of enforcement provisions in the existing ordinance prohibiting this type of sale. Council requested staff to bring recommendations to Council to strengthen the ordinance and provide a more immediate remedy for violators; i.e., towing, fines, etc.

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Councilmember Carmany moved to appoint Michael Burkholder to serve a term on the ABC Board in the position formerly held by Owen Lewis; this term will expire 3 July 2009. The motion was seconded by Councilmember Phillips and adopted unanimously voice vote of Council.

Councilmember Carmany moved to appoint Paul Brown to serve a term on the Parks and Recreation Commission in the position formerly held by Palmer Smith-McIntyre; this term will expire 15 August 2009. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

Councilmember Carmany moved to reappoint Joel Landau to serve an additional term on the Planning Board; this term will expire 15 August 2009. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

Councilmember Carmany moved to appoint Velma Speight-Buford to serve a term on the Planning Board in the position formerly held by James P. McIntyre; this term will expire 15 August 2009. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.



Councilmember Carmany moved to reappoint Peter Wainwright to the Advisory Commission on Trees; this term will expire 15 August 2009. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

Councilmember Carmany added the following names to the boards and commissions data bank for consideration for future service in the respective areas: Jeffrey Johnson, Greensboro Transit Authority; Lashenna Lucas, Community Resource Board; and Marcus Comer, Parks and Recreation Commission and ABC Board.

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After brief discussion with regard to the various board/commission reappointments that could be made, the Mayor requested Council to consider taking action with respect to those positions at the August 15 Council meeting.

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Speaking to discussions with one of the current board members with regard to his service, Councilmember Phillips requested staff to investigate the status of the Firemen's Relief Fund Board to determine if this was a functioning body and whether Council needed to continue to appoint members. Assistant City Manager Brown stated that he would investigate and provide information to Council.

Noting that there was currently a District 3 vacancy on the Redevelopment Commission, Councilmember Phillips stated that because there was no District 1 representation on this Commission, he would ask that Councilmember Bellamy-Small make this appointment to the Commission.

Councilmember Phillips moved to appoint Cyndy Hayworth to serve a term on the Greensboro Zoning Commission; this term will begin 15 August 2006 upon expiration of term of Gary Wolfe and will expire 15 August 2009. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Phillips moved to reappoint Uma Auva and Joseph Brower to serve additional terms on the Library Board of Trustees; these terms will expire 15 August 2009. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips moved to reappoint Linda Edmunds to serve an additional term on the Morehead Commission; this term will expire 2012. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips moved to reappoint Michael Fox to serve an additional term on the Planning Board; this term will expire 15 August 2009. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips moved to reappoint Tom Hall to serve an additional term on the Advisory Commission on Trees; this term will expire 15 August 2009. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips moved that Zack Mathaney be appointed to serve an additional term on the Zoning Commission; this term will expire 15 August 2009. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Phillips spoke to the presence in Greensboro neighborhoods of storage pods for lengthy periods of time. He requested staff to bring recommendations to Council to establish the length of time these pods could be left at a residence; he suggested a limit of 30 days.

Expressing concerns with regard to private streets; i.e., citizens' confusion about services, problems encountered when they are not built to City standards, whether or not the City should accept, etc., Councilmember Phillips suggested that this matter be scheduled at a future briefing session to enable the staff and City Council to look at the overall issue of private streets.

Questioning how the City became involved in the operation of Hagan-Stone Park, noting the use of Hagan-Stone Park by citizens who were not Greensboro residents, and stating he believed Guilford County should operate the park, Councilmember Phillips offered his opinion that the Council should address the overall issue of Hagan-Stone Park.

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Councilmember Johnson added the name of Maxine Bakeman to the boards and commissions data bank for consideration for future service on the Commission on the Status of Women.

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Noting that City busses continually stop in the travel lane and block traffic when loading and unloading passengers, Mayor Holliday requested the Transportation Department staff to remind City bus drivers to use designated bus stops.

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Mayor Holliday expressed concern with the lack of Police presence in the downtown area during the evening hours when large numbers of people are present to deter any potential problems and address and circumstances that would require Police action. He also expressed concern with regard to panhandlers who harass and follow people in the downtown area.

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At the request of Assistant City Manager Morgan, Councilmember Johnson moved that the City Council adjourn to Closed Session for the purpose of discussing an economic development incentive. The motion was seconded by Councilmember Wells and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:47 P.M.

KEITH A. HOLLIDAY  
MAYOR

JUANITA F. COOPER  
CITY CLERK

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